

REMARKSStatus of the Application

Claims 1-5 are pending and stand rejected.

Section 103 Rejections

Claims 1-5 are rejected under 35 U.S.C. Section 103 as being unpatentable over admitted prior art in view of Ellison et al. U.S. Patent No. 3,831,836. In response, applicant has amended claim 1 to distinguish it from Ellison. Claim 2 has been cancelled.

Amended claim 1 now requires "at least one inwardly collapsible section formed from contiguous portions of a sidewall and an end wall whose junction defines one of the vertical corners, the at least one inwardly collapsible section being defined by at least one horizontal cut line extending from a first fold line on a side wall to a second fold line on an end wall, said inwardly collapsible section also having a third fold line between the first and second fold lines serving as a living hinge to enable the inwardly collapsible section to collapse inwardly."

Support for these new limitations is found at paragraphs 0037 and especially 0046.

Ellison does not disclose these new limitations. For example, Ellison's retaining tabs 17 are not formed from contiguous (touching) portions of a sidewall and an end wall. Rather, Ellison's tabs 17 terminate in free edges 23 spaced "a small distance from the corner." (Col. 2, lines 45-47) Also, Ellison's retaining tabs 17 do not have a third fold line between the first and second fold lines 21.

None of the other references discloses these new limitations. Kondolf 1,991,616 discloses a fruit and vegetable box with a liner 1a having an octagonal shape and openings 7 for ventilation. The liner does not have inwardly collapsible sections.

Belsinger 2,277,674 discloses L-shaped posts 13 wedged between an outer box 10 and an

inner liner 12. The liner 12 does not have inwardly collapsible sections.

Goodrich et al. 3,073,500 discloses a container having posts 46-49 wedged between an outer box 16 and an inner box 30. The inner box 30 (Fig. 14) does not have inwardly collapsible sections.

Adams 3,397,831 discloses a container formed from a scored blank having reinforcing panels (Fig. 2). The reinforcing panels include flaps 21a, 21b, 22a, 22b that extend outward from the blank such that when the blank is folded, the flaps extend diagonally across the corners to define generally V-shaped corner post openings. Adams does not teach an inner member having inwardly collapsible sections. Even assuming tabs 21a, 21b, 22a, 22b are inwardly collapsible sections (which they are not), they do not have fold lines that act as a living hinge.

Arnold 4,341,338 discloses a box formed from two identical blanks 2 that, when folded, each form an integral corner post 7. Arnold does not disclose an inner box member or inwardly collapsible sections formed from contiguous portions of a side wall and an end wall.

Sheffer 4,638,745 discloses a display stand with interfitting legs. The base is a simple tray with holes to accommodate the legs.

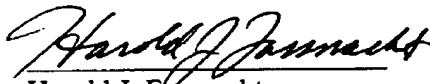
Kawasaki 5,125,520 discloses a metal tray rack. Kawasaki does not teach a base assembly comprising an outer base box and a center base member that fits within the base box.

Pigott et al. 5,251,753 discloses L-shaped corner posts held between a bottom tray 18 and an inner tray 12. Inner tray 12 is a simple conventional tray having a bottom and upwardly extending sides.

Summary

It is believed that this paper constitutes a complete response to the Office Action mailed December 29, 2005, and an early and favorable action allowing claims 1 and 3-5 is respectfully requested. The Examiner is invited to telephone Applicant's undersigned attorney if any unresolved matters remain.

Respectfully submitted,



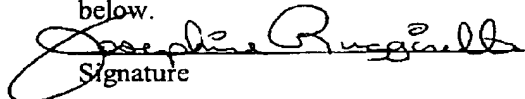
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